# Stock 1AC RTH

## 1 – framework

#### First, the purpose of debate education should be to train youth to challenge oppressive structures, not perpetuate them,

Bohmer 91 “Teaching Privileged Students about Gender, Race, and Class Oppression.” Teaching Sociology, Vol. 19, No. 2 (April, 1991) pp. 154-163.

Our [a] strong emphasis on institutional oppression is not only due to our sociological approach to social psychology; it is also an outcome of our interactions with students. Let us repeat that most[ly] of our students are white and middle class [students], with limited exposure to group diversity. Much of the material we present is new to them and often difficult to absorb. One of their major problems lies in moving from individualistic explanations to a sociological analysis. Teaching in this setting, we have found that a focus on micro-level processes is fruitful only after we have addressed the concept of institutional oppression. Without an understanding of institutional aspects students decontextualize social interactions; they equate prejudice with oppression and argue that members of privileged groups are also oppressed. This position, of course, is untenable if we want the concept to remain useful for an analysis of class, race, and gender relations in our society. Even while we emphasize institutional barriers for members of oppressed groups, we do not deny human agency by portraying oppressed individuals as trapped entirely by the confines of society. Balancing the two perspectives, however, is difficult, and the outcome depends strongly on our audience. With primarily white, middle-class students, who tend to advance individualistic explanations and who seem largely unaware of the institutional nature of oppression, we believe it is appropriate to stress barriers and limitations. If we taught a more diverse population we are certain that our discussion of oppression would focus more sharply on human agency as a potential for change. It can be both trying and challenging to integrate considerations of race, gender, and class into an introductory course on social psychology. We have experienced resistance, guilt, anger, and denial from many of our privileged students. Our greatest frustration is that students are reinforced in their resistance and denial because they experience little follow-up in other classes and have little ongoing exposure to the concepts we have introduced. We believe, however, that exposure to the concept of oppression in ou r classes helps at least some students to gain a greater understanding and appreciation for those who are different from themselves. Such exposure also leads some students to raise questions in other courses that do not take race, gender, and class into account. These students, who we hope will apply their knowledge to their everyday interactions with members of other groups, [and] encourage us to find new ways of introducing race, gender, and class into the sociology curriculum.

#### We must engage in real world discussions but those discussions mean nothing unless they change the values to the people they affect,

Curry 14 Dr. Tommy J. Curry 1 The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century. 2014

Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” [i] At the most general level, the conceptual chasm between what emerges as*actual*problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems *theoretically*—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is *actual*(in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,”[i] so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to*only*do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

#### The 1AC acknowledges the state is bad in many ways. However, the aff uses state as heuristic which doesn’t affirm its legitimacy but allows enhanced governmental resistance.

Zanotti ’14 Dr. Laura Zanotti is an Associate Professor of Political Science at Virginia Tech.  Her research and teaching include critical political theory as well as international organizations, UN peacekeeping, democratization and the role of NGOs in post-conflict governance.“ Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304,. A little unclear if this is late 2013 or early 2014 – The Stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013. Obtained via Sage Database.  KAE bracketed for grammar

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. [Resistance to governmental scripts] is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.” Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.

#### Thus I affirm the resolution: The United States ought to guarantee the right to housing. We defend the resolution through normal means and will grant you links if asked in CX.

## 2 – offense

### Refugees

#### Refugees need to be included in housing practice to mitigate their rights abuses- solvency advocate for the aff

Al Hussein 14, Human Rights The Right to Adequate Housing Fact Sheet No. 21/Rev.1 http://www.ohchr.org/Documents/Publications/FS21\_rev\_1\_Housing\_en.pdf

In the context of durable solutions, an emerging norm of housing and property restitution guarantees rights for refugees and IDPs who have decided voluntarily to return to their original homes. Voluntary repatriation/ return has in recent years been expanded to mean more than the mere return to one’s country for refugees or one’s city or region for IDPs. It is increasingly taken to mean the return to and reassertion of control over 26 one’s original home, land or property. Refugees and IDPs who choose not to return to their homes must be protected against forced return in all circumstances, and should be enabled to resettle in conditions that respect, inter alia, their right to adequate housing. Under the Convention Relating to the Status of Refugees, State parties are obliged to provide refugees with treatment as favourable as possible, and not less favourable than that accorded to aliens generally in the same circumstances, with regard to housing (art. 21).

#### Adequate housing works to solve for the global refugee crisis by providing homes that keep refugees off the streets and employed.

Salvini 16, Francesco Salvini, 11-5-2016, ""We don’t have a refugee crisis. We have a housing crisis."," openDemocracy, <https://www.opendemocracy.net/can-europe-make-it/eleanor-penny/we-don-t-have-refugee-crisis-we-have-housing-crisis>

At Eleonas camp on the outskirts of Athens, some of the residents echoed this pattern. One man from Syria is aiming to get to Berlin, where he’s told there will be doctors who can help his eight year old niece walk again. A young man from Afghanistan tells me he wants to get to Copenhagen or Stockholm, because like him, they speak English there. But common to all of them is the desire to make it out of the camps, and find a permanent home. This challenge is one of the greatest facing the cities of Europe. From the conversations at the conference, one thing becomes abundantly clear. Though in scale, this crisis might be unprecedented, in character it is familiar territory for those trying navigate the hurdles of how to provide a vast number of people with adequate housing, in a situation where affordable, livable housing is already hard to come by. Many cities across europe have housing crises caused by a heady cocktail of property speculation, industry deregulation, and a dearth of social housing that predates by decades this recent influx of new arrivals. According to a recent report by Housing Europe, "There are not enough affordable homes available in most European countries to meet the increasing demand." It seems that the arrival of thousands of migrants would be less of a problem were cities not already struggling to house residents. As Mayor of Leipzig Thomas Fabian put it: "I don’t like to use the term refugee crisis. We don’t have a refugee crisis. We have a housing crisis."

#### 2 impacts

#### 1. Guaranteeing housing to refugees works to employ refugees and improve their economic conditions

IRC 17, "Refugees and resettlement," International Rescue Committee (IRC), https://www.rescue.org/frequently-asked-questions-about-refugees-and-resettlement

Refugees must rebuild their lives from traumatic and tragic circumstances. The majority embrace their newly adopted homeland with tremendous energy and success. They go on to work, attend universities, build professions, purchase homes, raise children and contribute to their communities. Ultimately refugees obtain [citizenship](https://www.rescue.org/topic/immigration) and become fully participating members of society. They become Americans. Many refugees come to the United States without any possessions and without knowing anyone. Other refugees come here to be reunited with family members. All refugees receive limited assistance from the U.S. government and non-profit organizations like the IRC. We help refugees find housing, learn about life and customs in America, secure jobs, learn English, and become citizens. We provide most of the basic things they need to restart their lives here and we help them overcome cultural barriers so that their adjustment is as easy as possible. The circumstances under which refugees leave their country are different from those of other immigrants. Often in fleeing persecution, they are without the luxury of bringing personal possessions or preparing themselves for life in a new culture. Recognizing this fact, the federal government should provide transitional resettlement assistance to newly arrived refugees. In the first 90 days, agencies such as the IRC contract with the Department of State to provide for refugee's food, housing, employment, medical care, counseling and other services to help the refugee make a rapid transition to economic self-sufficiency.

#### 2. The right to housing for refugees promotes inclusivity and acceptance- thus decreasing the otherization of the refugees in American culture

Aubert 17, Emma Aubert, 1-24-2017, "Integration of refugees: a pressing issue that needs to be tackled in a holistic and pragmatic manner," EU-Logos, https://eulogos.blogactiv.eu/2017/01/24/integration-of-refugees-a-pressing-issue-that-needs-to-be-tackled-in-a-holistic-and-pragmatic-manner/

For Caritas, the housing situation for refugees today is extremely worrying. In many states, refugees living in overcrowded accommodation have become the norm; while in others, refugees’ homelessness has become the norm (Caritas, 2016: 9). This issue needs to be tackled urgently as refugees need to move out of the reception centers and settle in more permanent homes in order to integrate. There are different ways to tackle the issue at the national and local level. Germany for example, allocates asylum seekers across the country to ensure distribution, fight discrimination and increase opportunities for the refugees to find jobs. Germany allocates refugees to federal states according the state’s population and financial means. Refugees tend to arrive and stay in the big cities, yet the price of living is higher there than in more rural areas. Refugees hence need to be allocated evenly across regions in order to avoid concentration and segregation. This would notably avoid the creation of “ghettos”. Housing issues have more often been tackled by charities so far. Likewise, “A refugee in my home” program has been very successfully implemented throughout Italy. Italian families and individuals can welcome a refugee or asylum seeker for 6 to 9 months at a time. This project has been successful as it has helped tackling socio-cultural, language and housing issues at the same time and could be recreated in many states (Caritas, 2016). Governments need to set an example and fight all types of discrimination. They need to do so by creating safe spaces for refugees and citizens to meet. They also need to look at integration in a holistic manner as all parts of the process need to be tackled in order to integrate refugees fully. Governments have to prepare host societies to receive this new population, while adapting their education system to give comprehensive language classes for all, adapted classes for children, make higher education and diploma/competences recognition available. In the meantime, they will need to find a way to adapt their health system to the short term needs of this new crowd, notably regarding their mental health needs. They will also have to work with regional and local partners to ensure that refugees are evenly distributed within the host country and have a decent accommodation, whether they live with a host family or in their own flat. Finally, efforts will have to be made to help refugees enter the labour market, first with “entry level” jobs and later with longer term employment.

### IPV

#### Law enforcement systems fail to help battered women

Baker et al 03 VIOLENCE AGAINST WOMEN, Vol. 9 No. 7, July 2003 754-783 DOI: 10.1177/1077801203253402 © 2003 Sage Publications

A majority of battered women seek help from formal support systems (Gondolf & Fisher, 1988). In fact, in a sample of 419 women, less than 2% of the women had *not* sought any help (Hutchison & Hirschel, 1998). Rather, 39% had used two to three different sources, and 26% had used four to five different sources. In a review of 12 studies, the criminal justice system was the most widely used service, whereas women’s shelters were among the least often used service (Gordon, 1996). Although law enforcement is among the most frequently contacted formal support system, battered women also report them to be [but they’re] the least helpful (Hamilton & Coates, 1993). Thus, the act of seeking help does not always guarantee women’s safety. Indeed, some types of responses by formal support systems may actually exacerbate the violence in women’s lives (Ellis, 1992). In fact, there is evidence to suggest that women may be [are] more likely to experience postseparation violence from their partners if systems fail to help women to become economically independent of their partners, to live separately from their partners, and to hold their partners accountable for the violence (also known as the dependence- availability-deterrence model; see Ellis, 1992, for a complete description). This model can also be used as a framework to consider how formal support systems (specifically welfare, shelters, and the justice system) affect women’s housing and risks for homelessness after separating from their partners. Furthermore, in addition to documenting the effects of specific actions taken by formal support systems, it is important to note how these systems treat women who seek help (Grigsby & Hartman, 1997).

#### Shelters fail to help homeless survivors of intimate partner violence

Baker et al 2 VIOLENCE AGAINST WOMEN, Vol. 9 No. 7, July 2003 754-783 DOI: 10.1177/1077801203253402 © 2003 Sage Publications

Shelters can also provide a safety net to battered women after separation. Most offer temporary shelter, support groups, legal assistance, and children’s programs. Recent legislation (Violence Against Women Act, 1994, 2000) increased funding for battered women’s shelters (Brooks, 1997); however, many still operate with inadequate funding. To augment governmental support, shelter directors frequently seek funding from outside sources, but accompanying restrictions limit how shelters expend these funds (Roberts, 1997). For example, some funds do not allow shelters to provide services to women who plan to return to their batterers, have addictions, or belong to minority groups (Don- nelly, Cook, & Wilson, 1999; Loseke, 1992).In addition, shelters typically turn away homeless women if they are not currently abused but have been in the past (Donnelly et al., 1999; West, 1999). This situation is ironic, as many women cannot be housed at a battered women’s shelter when they leave their abusive partners because many shelters consistently operate at capacity. Yet if these same women become homeless while gaining safety, they may become ineligible for shelter housing and community-based services.

#### Efforts must be made to develop and ensure housing access for survivors of intimate partner violence – its try or die for the aff

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Efforts must continue to develop more housing options that respond to the reality that domestic violence survivors are a broad and diverse group of women with varying family compositions, cultural considerations, and ability to live in community while in crisis. The expansion and innovation of existing models of service delivery to provide a broader range of options for survivors can decrease the likelihood that women may choose to stay in an abusive home or devise other makeshift living arrangements not conducive to their safety. A second practice recommendation is for programs [should] to assess whether eligibility criteria and/or staffing levels may either purposely or inadvertently exclude some populations of women and children from accessing shelter or other housing or victim services. Some program directors report the use of these criteria to meet funding requirements; others believe in the merits of using the criteria (Baker et al., 2009). While no program can serve all the needs of all survivors, we strongly encourage programs to examine service criteria with an eye to who is turned away and why, and to engage in critical thinking about what may be done to better respond to those typically excluded from services.While it is important to examine housing programs for their ability to promote clients' housing stability (the end) it is also imperative to consider how this outcome is achieved (the means), with particular scrutiny to the approach and underlying philosophy of different programs. One theme discussed throughout the current paper is the barriers posed by practices/policies that require women to participate in specific services (e.g., attending weekly support groups) as a condition of receiving housing (Baker et al., 2009; Melbin et al., 2003). Using housing as leverage to promote treatment adherence has had mixed results when applied to homeless populations (Robbins, Petrila, LeMelle & Monahan, 2006; Tsemberis et al., 2004). Given the experience of domestic violence survivors, whose lives have been marked by the controlling and coercive behaviors by their abusive partners, an emphasis on respect for client autonomy has special significance. Program models that minimize mandatory services and are driven by individual survivors' goals and circumstances may better ensure that they are both accessible to diverse populations of survivors and respectful of the unique needs of survivors for self-determination and choice.The fourth recommendation is that housing and homeless systems work proactively to better serve the needs of domestic violence survivors. Service providers in these systems need to: 1) become educated about the dynamics of domestic violence and the issues faced by survivors, 2) screen for domestic violence; and 3) be prepared to address the range of issues presented by their clients. At the most basic level, this preparation could include the development of protocols for safety planning and referral, and cultivation of relationships with domestic violence providers.Conversely, it is recommended that domestic violence providers become knowledgeable about the housing options in their community, and [should] become trained on local, state, and federal housing policies so that they can inform women more effectively as they transition from emergency shelter to long-term housing. Cross-trainings could be offered as a way to promote information sharing and collaboration between the two systems (Menard, 2001). These relationship-building and cross-training efforts should take place at all levels (i.e., national, state, and local), as each system has much to learn from the other. A final recommendation is the need for careful evaluation of any new housing policy or program, with evaluation efforts having [should have] a dual focus toward: 1) Unintended consequences that may disadvantage or endanger victims of domestic violence. Changes in service delivery and/or in types of services funded may create unforeseen burdens on those seeking services. Questions that need to be answered in such an evaluation include: As we expand housing options to include longer-term or permanent housing models for survivors of domestic violence, what are the consequences for women in crisis? Are they excluded from permanent housing because of assumptions about success based on the stage of crisis they are in? Are we shifting resources to expand longer-term housing services at the expense of funding for emergency shelter/housing options for women in crisis? By taking the time to analyze these questions using rigorous methods, we reduce the likelihood that the impact of policy and programmatic changes is different from the intent that fueled the change. 2) The efficacy of policies and practices on meeting women's needs. As important as avoiding policy and programmatic changes that result in negative unintended consequences is the evaluation of new and existing policies and practices on whether they effectively address barriers and improve housing-related as well as other health outcomes for women. HUD's new Rapid Re-Housing for Families Demonstration project, for example, includes an evaluation phase in which grantees will be required to gather data to determine whether households are able to independently sustain housing after receiving short-term leasing assistance. Evaluation studies should also examine the effect that different types of housing has on women's level of risk for revictimization, as well as the effect on children, including school attendance and achievement, and emotional and behavioral out- comes. With both types of evaluation it will be important to involve multiple voices, including survivors, advocates, providers, landlords, etc. Results from these studies will be important as we continue to refine policies and programs to respond to the complex set of issues faced by survivors in their attempts to end the abuse.

#### Stable housing is integral to give victims tangible resources to gain their independence back

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Although previous research suggests a link, the relationship between domestic violence and housing instability is not necessarily a direct one. Rather, there is a complex interplay of issues that may affect women's risk of housing instability or homelessness after separating from their partners. These issues may result in significant barriers for women in obtaining and maintaining stable housing for themselves and their children, and range from insufficient income to live independently, limited availability of affordable housing, potential housing discrimination against them as domestic violence survivors, histories of credit or rental problems, a criminal history, or ongoing harassment and assaults by the ex-intimate partner. As women attempt to secure housing away from their abusers they face economic barriers that may be related to difficulties in finding living wage jobs or that result from limited job experience. Past exposure to domestic violence has been shown to be linked to future unemployment and poverty for women (Byrne et al., 1999). Even for women who are working, staying employed may be difficult, as dealing with the violence and its aftermath can compromise steady attendance and work performance. Research shows that abusers frequently stalk or harass women in their workplace, and sabotage women's ability to keep their jobs. In a sample of women with abusive partners, approximately 50% of those who worked reported los[e]ing a job because of the actions of the abuser (Riger, Ahrens, & Blickenstaff, 2000). In addition, female victims of domestic violence worked fewer hours than women who did not experience such abuse (Browne, Salomon, & Bassuk, 1999); and one in six women who reported domestic violence also reported time lost from paid work (National Center for Injury Prevention and Control, 2003). Achieving stable housing is further challenged by a lack of affordable housing stock. One report documents that there has been no funding for new public housing since 1996, even though over 100,000 units of existing public housing have been lost to demolition, sale, or other removal (Western Regional Advocacy Project, 2006). Even in cases where women have the economic resources to find housing they can afford, they may be denied housing by landlords concerned about the potential risk to other tenants or property damage if the abuser continues to pose a threat on those premises (National Law Center on Homelessness & Poverty, 2007). Additional difficulties may stem from poor rental history, which may result from women's multiple moves to elude a persistent abuser or because of evictions that arise from the abuser's actions (Martin & Stern, 2005; National Law Center on Homelessness & Poverty, 2007). In other cases, women may have difficulty paying rent on their own which may lead to evictions and subsequent credit problems, thus reducing their ability to access alternate housing. As well, some domestic violence survivors may have a criminal history. This is not uncommon because of arrests that are related to the abuse or to surviving the abuse. For example, women may be forced to participate in illegal activities by their abusive partners (Richie, 1996). Such a criminal history excludes women from public housing (Martin & Stern, 2005). Further, separation from the abuser is a known “trigger” for severe violence and is a risk factor for intimate partner femicide (murder of women) (Campbell et al., 2003); this means that just at the time she is seeking safety through relocation and separation, she is most at risk from the abuser. Finally, women may still be dealing with their own or their children's mental and physical health needs resulting from the abuse, which may impair their ability to work and to seek out housing solutions (Campbell, 2002; Evans, Davies, & DiLillo, 2008; Kitzmann, Gaylord, Holt & Kenny, 2003; Wolfe, Crooks, Lee, McIntyre-Smith, & Jaffe, 2003). This confluence of barriers to permanent stable housing coupled with the increased risk further interferes with women's ability to obtain the stability needed to access additional services that can increase their safety and promote their ability to maintain the separation. What is clear from these examples is that women, especially poor women, who are trying to escape abusive partners need an array of services to meet their needs. These services include immediate crisis intervention such as food and shelter, longer-term assistance in overcoming the emotional or psychological impact of domestic violence on themselves and their children, and assistance related to economic security and housing stability. In particular, recent research has emphasized the critical importance of tangible resources for women during this post-separation period (Glass, Perrin, Campbell, & Soeken, 2007; Goodman, Bennett, & Dutton, 1999); stable housing may be one of [is] the most important of these tangible resources.

### LGBTQ+ Youth

#### Two links: 1 LGBTQ individuals have disproportionately higher chances of ending up homeless when compared to the national average due to unsupportive family members and housing discrimination evicting them from their homes.

NHCH 14 National Health Care for the Homeless Council. (August 2014). Gender Minority & Homelessness: Transgender Population. In Focus: A Quarterly Research Review of the National HCH Council, 3:1. [Author: Claudia Davidson, Research Associate] Nashville, TN: Available at: www.nhchc.org.

Relative to others, transgender individuals have an increased risk for experiences of homelessness. A number of contextual factors can thrust transgender youth and adults into homelessness including: family rejection and/or conflict, running away from or aging out of the foster care system, violence/victimization, and institutional discrimination (e.g., in schools, housing, and workplaces). As with other populations, substance use disorders and psychiatric illnesses also precipitate homelessness for some transgender individuals. Family rejection and/or conflict, are the most common causes of homelessness amongst transgender youth (5, 11, 12), demonstrating the family’s role as a primary protective network for youth.(13, 14) Transgender individuals are increasingly ‘coming out’ at an early age as transgender and sexual minority role models become more publicly visible and accepted. (5, 13) Prior to publicly ‘coming out,’ individuals may display signs of gender non-conformity. (12) Familial relationships can become strained and injurious if family members are not supportive. Reactions may manifest in avoidance, financial and emotional rejection, neglect, and abuse. (15) Transgender youth may opt to run away from home or be pushed out/expelled from the home because of non-affirming or abusive behaviors from their families. Some transgender youth who leave home become a part of the foster care system. (12, 16) Once placed in foster care, youth may run away or simply age out of the system. (16,17) Young adults who age out of the system are suddenly faced with difficulties in acquiring financial support, maintaining relationships, and accessing social resources needed to survive on their own. (18, 19) In a study of 381 LBGT youth service providers, three of the top reported reasons for LBGT youth becoming homeless were: running away due to family rejection (46% of respondents), being forced out or expelled from the home by their parents (43% of respondents), and aging out of the foster care system (17% of respondents).(20) In a National Transgender Discrimination Survey (NTDS) of 6,450 transgender and gender non-conforming adults, 19% of participants became homeless at some point in their lives due to family rejection and discrimination, 2.5 times the rate of the general population. (21) Violence/victimization is both a consequence and a contributing factor of homelessness amongst LGBT youth. Domestic violence by family members was found to be the second most common type of violence reported by unstably housed LGBT youth in a study conducted by Marsiglia, et al.(22) In the NTDS study mentioned above, 48% of transgender individuals who experienced some form of domestic violence also had a history of homelessness.(21) Both of these studies demonstrate that a large portion of transgender individuals experiencing emotional, physical, and/or sexual abuse, do so in their homes at the hands of people whom they know (23), resulting in many choosing homelessness or seeking shelters as a safer alternative. Substance abuse and psychiatric illnesses are also both a consequence and contributing factor to homelessness. According to the United States Conference of Mayors, both substance abuse and mental health issues were reported as contributing factors to unaccompanied individual experiences with homelessness. (24) Numerous studies have shown that there is a high prevalence and heightened risk of substance abuse and other mental health issues such as depression, anxiety, and suicidal ideation within the transgender population (25, 26), putting them at greater risks of becoming unstably housed. Violence/victimization and psychiatric illnesses will be discussed below as prevalent health issues in the transgender community. Lastly, research suggests that housing discrimination and economic insecurity, attributable to workplace discrimination, increases the risk of adult transgender homelessness. (27) In the NTDS study, participants reported being denied (19%) or evicted (11%) from housing at some point in their lives because of gender non-conformity. In addition, a large portion of respondents reported adverse employment outcomes (47%) and some form of mistreatment or harassment on the job (90%). Adverse outcomes included being fired, denied a promotion, or not being hired because of gender non-conformity. Forty percent of those who reported job loss due to discrimination also had experiences of homelessness. (21)

#### 2 - LGBTQ individuals often struggle to find housing because the federal government does not explicitly prevent discrimination in housing based on sexual orientation or gender identity.

Espinoza 14 Robert Espinoza (Vice President of Policy at PHI), "LGBT People: Our Longing for Home, Our Right to Housing", The Huffington Post, 02/28/2014, Robert Espinoza (Vice President of Policy at PHI), "LGBT People: Our Longing for Home, Our Right to Housing", The Huffington Post, 02/28/2014, <http://www.huffingtonpost.com/robert-espinoza/lgbt-people-our-longing-f_b_4858491.html>

The relationship between aging and housing discrimination forms the subject of a new report from the Equal Rights Center, in partnership with SAGE (Services and Advocacy for GLBT Elders). Based on an investigation conducted in 10 states, the report finds that 48 percent of older adult testers in same-sex relationships experienced at least one form of differential treatment when seeking housing. Same-sex couples were provided fewer rental options, higher fees, more extensive application requirements and less information regarding financial incentives than opposite-sex couples—barriers likely faced, though insufficiently studied, among the larger, more diverse spectrum of LGBT people. For example, a 2011 national study of nearly 6,500 transgender and gender-nonconforming people found that 19 percent of respondents were denied housing and 11 percent were evicted because they were transgender or gender-nonconforming. For the same reasons, 29 percent were turned away from homeless shelters, and 25 percent and 22 percent were physically and sexually assaulted, respectively, while in a homeless shelter. Queer people too often wager with risk, danger and personal compromise to survive the night—and if achieved, the years that follow. This hardship of finding both home and housing reverberates as a theme across LGBT-rights struggles. The federal government does not explicitly protect against discrimination in housing based on sexual orientation or gender identity, though recent rules, some legal interpretations and a growing number of states and cities are moving toward more protections. Homelessness among queer youth and transgender people remains disproportionately high. Harsh immigration law keeps many queer immigrants from their loved ones abroad. Housing for low-income people with HIV receives scant attention and government support, with some exceptions. And for queer people raised in towns, states and regions that are politically hostile, or which lose their relevance as we mature and evolve, leaving home can leave psychological scars that we’re left to construe in private.

## 3 - Underview

#### Housing is a normative human right absent any social solvency

Iglesias OUR PLURALIST HOUSING ETHICS AND THE STRUGGLE FOR AFFORDABILITY Tim Iglesias\* Professor of Law, University of San Francisco School of Law. Thanks to Fred Bosselman, Josh Davis, Alice Kaswan, Jim Kushner, Mike Rawson, and Josh Rosenberg for helpful comments on an earlier draft. Thanks also to the USF law faculty for comments and suggestions during a work-in-progress presentation. Finally, thanks to Paul Gruwell for research assistance.

Natural disasters, e.g., fires, floods, and hurricanes, that leave large numbers of previously housed people homeless often evoke humanitarian responses that amount to a collective expectation that “people should be housed!”140 The “housing as a human right” ethic141 focuses attention on the fact that decent, safe, and affordable housing is critical to proper human development. Its normative thrust is the conclusion that all people should have legal rights to housing. This ethic focuses on legal rights in the provision of housing itself, e.g., rights concerning access to housing, its quality, and its terms.142 The term “right” is used in the sense that implies a correlative duty on the part of another party, usually the state, to recognize and provide for what the right entails. The focus is on individual rights as general entitlements that will be available to all persons, including those currently without housing or who are poorly housed.143 The question this ethic poses to any proposed rule or policy is: Will this proposal help ensure access to and tenure in safe, decent housing for all those who need it? All rights claims require social justification. Many different voices have clamored for rights to housing based upon our common humanity, among them civil rights advocates,144 religious traditions,145 and the United Nations.146 Religious traditions typically ground the claim in the common dignity of humans before the divine.147 Some right-to-housing arguments depend upon a claim that housing is “special.”148 For example, longstanding right-to- housing advocate Chester Hartman partially grounds the right in a “housing as home” ethic, characterizing housing as the foundation for life and a launching pad which is fundamental to human development.149 Often the justification for the housing right sounds in traditional liberal discourse,150 emphasizing the costs and benefits to those affected,151 or the social costs and benefits to society of providing such a right.152 The substance (or scope) of a right to housing is a critical issue in the housing as a human right discourse. Sometimes, only a minimal right to shelter is advocated, e.g., some campaigns that would require emergency shelter for homeless people.153 Such claims sometimes seek only temporary shelter (without any tenurial rights) and usually only minimum quality standards with few amenities.154 In contrast, other advocates have articulated full-blown versions of a right to housing.155 Hartman includes affordability, physical quality of the unit, non-discriminatory access, secure tenure, and social and physical characteristics of the neighborhood environment156 as the components of a complete right to housing.157 The late housing advocate David Bryson articulates similar elements158 and notes the value of guaranteed legal representation for adequate enforcement of the right.159 The full-blown version raises numerous hard policy questions, which are rarely answered to the satisfaction of critics and skeptics.160 Thus, the proposal regularly evokes strong opposition.161

#### Right to housing is key to recognizing and eliminating social disparities

Iglesias OUR PLURALIST HOUSING ETHICS AND THE STRUGGLE FOR AFFORDABILITY Tim Iglesias\* Professor of Law, University of San Francisco School of Law. Thanks to Fred Bosselman, Josh Davis, Alice Kaswan, Jim Kushner, Mike Rawson, and Josh Rosenberg for helpful comments on an earlier draft. Thanks also to the USF law faculty for comments and suggestions during a work-in-progress presentation. Finally, thanks to Paul Gruwell for research assistance.

The core idea of the “housing as providing social order” ethic is the deliberate use of housing as a means to establish and maintain a specific social order that embodies a certain view of “the good life.”211 This ethic focuses attention on the fact that our housing settlement patterns—the relative location of housing and the types of housing in an area and who lives in them—create a particular social order. Where and among whom we live structures important parts of our lives. Therefore, under this view, our housing law and policy should respect and promote “good communities” by respecting whom people want to associate with in their neighborhoods. This ethic poses the following question to any new housing policy or rule: How will this proposal affect who will live in “my community”?212 In this ethic, housing is always considered and analyzed in relationship to other housing and, in particular, who lives in the other housing. Some versions of this ethic seek distinctions to provide a relative ranking of social status with the relevant comparison group.213 This ethic is widely socially understood and incorporates broadly shared social meanings.214 One consequence of such ordering is common social perceptions or stereotypes—all else being equal, where you live (e.g., city, neighborhood) is generally taken to provide significant information about “who you are” relative to other people who live in other cities or neighborhoods. The social meaning of where one lives is “given” even if not intended or “merited” by a person living in the subject area. This dynamic functions at the city and neighborhood levels and in fact at any geographical level in which it plausibly can be claimed, “we have a community here.” Certain cities and neighborhoods have national reputations, e.g., Chevy Chase, Maryland; Beverly Hills, California; Oakland, California. At least at the regional level, the reputations of neighborhoods are well- known or easily discovered. Many argue that the desire to live among people that one perceives as “similar” to oneself in some relevant way is a natural, inevitable, and useful or wholesome, or at least understandable, human tendency.215 Many people feel that they have earned the right to exclusive housing with the aesthetic and safety benefits they feel it provides. Certainly, the actual and apparent “ordering” of neighborhoods by income appears to validate a perception that when one earns enough money to live in such a neighborhood, one deserves the amenities such a neighborhood offers. This same tendency to want to associate by virtue of the location of one’s housing with people considered similar to oneself can be criticized as morally or legally blameworthy “discrimination” or “exclusion.” On the normative question of whether or not housing law and policy should be used to create or support a particular social order, Professor Alexander urges that “if there is to be a social and cultural judgment enforced by laws about the relationships that count in deciding who lives in our neighborhoods, then let us present these moral convictions openly for debate and not hide them in the varieties of housing laws.”216 America has a deep and long tradition of using housing as a means of providing for a particular social order. 217 Public law, including planning, zoning, subdivision law, and funding programs, provides some of the legal means of establishing and preserving social order.218 Private ordering schemes are also used.219 Historically, one form of organization has been by “race” and ethnicity.220 Organization of housing by the government and private owners by race to establish and maintain a racial hierarchy was explicit from the time of slavery221 through the adoption of Jim Crow laws after the enactment of the Thirteenth and Fourteenth Amendments.222 After Buchanan v. Warley223 was decided in 1917, it was no longer constitutionally permissible for governments to discriminate explicitly by race in setting housing settlement patterns.224 However, it was still legal and socially acceptable (among some) for private parties to do so using racially restrictive covenants.225 In the wake of the Corrigan226 decision (which appeared to give a green light to private ordering schemes based explicitly on race), there were widespread organizing drives by private parties to expand their use broadly.227 In Shelley v. Kraemer,228 the U.S. Supreme Court found that state court enforcement of racially restrictive covenants violated the Fourteenth Amendment, but the discriminatory covenants themselves did not violate the Constitution.229 After Shelley was decided, governments withdrew from these schemes, yet private parties continued to enforce them through private social means, e.g., by putting various kinds of social pressure on their neighbors to enforce the covenants.230 It is also now widely recognized that the siting of many public housing developments was racially directed.231 In 1968, such explicit racial organization of housing was made illegal when, in the immediate aftermath of the assassination of Dr. Martin Luther King, Jr., Congress enacted the federal Fair Housing Act232 and the U.S. Supreme Court held in Jones v. Alfred H. Mayer Co.233 that private discrimination against constitutionally protected roperty rights violated the Thirteenth Amendment.234 However, by that time, the segregated housing patterns were deeply etched in cities and towns all over the United States.235 The intuitions and fears that maintain this order have not completely dissipated.236 Much discrimination has gone underground, making it harder to prove. Some case law, notably Village of Arlington Heights v. Metropolitan Housing Development Corp.,237 added to the legal difficulty in challenging racist social ordering using housing by requiring plaintiffs to prove defendants had an intent to discriminate in order to find a constitutional violation. And, court decisions after Brown v. Board of Education238 have explicitly refused to interfere with the private housing market to prevent resegregation of public schools.239 This refusal to find “social discrimination” actionable in effect deters to these well- established forces. These decisions enable the established patterns of residential segregation to determine likely public school attendance, which is traditionally a defining characteristic of a neighborhood or community. Professor Richard Ford has argued that, given the legacy of patterns of racially identifiable neighborhoods and communities, further intentional enforcement or reinforcement of those patterns is not necessary to maintain them because they are to some degree self-replicating via the market economy.240

#### Those who lack an accessible space in neoliberal society are seen as a threat to the hegemonic and patriarchal structure of the American home, making them the ‘other’

Sloss 14 Eric J. Sloss . (“HOMELESS ABJECTION AND THE UNCANNY “PLACE” OF THE NATIONAL IMAGINATION”, http://digital.library.unt.edu/ark:/67531/metadc500028/m2/1/high\_res\_d/thesis.pdf)

family at the center of the American home, locating the patriarchal structure within this place that must be protected from external threat. While these conditions are necessary for the hegemonic “stability” of the normalized home, this overlooks the process through which home becomes the ideological place par excellence in public and political discourse. Thus, I want to turn attention not to the contents of the “home,” but the process of producing this intimate place, or stitching the home into discourses that animate subjectivity and citizenship. That is, rather than attempting to locate homelessness as a marginal position of “invisibility,” this essay highlights what is at stake when an event tries place homelessness at the center of discourses about home. Quickly, even the idea of homelessness (sans homeless persons) becomes an invisible presence that haunts the location of normalized subjectivity, calling for protections against this placeless threat. If, as Althusser suggests, the only goal of ideology “is to reproduce the conditions of production,”3 then homelessness becomes the impossible Real, the antagonism that reproduces location as an ideological assumption of subjectivity. Visions of the American home place only become possible through the invisible (yet quite provoking) symbolic threat of homelessness, calling for a need to repair this “hole” in a hegemonic order. In this figuration, “home” then becomes the image of a symbolic placing or interpolation of the locatable neoliberal citizen-subject. However, homelessness is figured in an incongruous relationship, whose symbolic position is unlocatable by definition and its imaginary representations become dependent upon a place of dwelling. Homelessness is displaced as an impossibility of legal and social discourse, writing place as the defining characteristic of their recognition. For this reason, I want to turn attention to the imaginary representations of homelessness that attempt symbolic placement, examining the effect of the homeless box city as 24 one representation of place that stands in for the individual persons experiencing homelessness. In this chapter, I will examine images and media discourse about homeless box city fundraisers and awareness events to propose that the “box city” functions as what Althusser calls “the imaginary relationship of individuals to their real conditions of existence. The importance of “place” in rhetorical studies has somewhat recently been garnered as an important agent in the production of both individual and group identity. Danielle Endres and Samantha Senda-Cook put it simply when they say, “location matters,” arguing that rhetoric not only invokes “place-based arguments,” but specifically can also turn to “place-as-rhetoric.”8 Generally speaking, place is often defined as a specific locale, created and bordered through material, imaginary, and discursive identification.9 Place is not free from space, but is dependent upon it as a material instantiation of located signifiers and objects. Greg Dickinson, Carole Blair, and Brian Ott offer space and place as a mutual contradiction: From the security and stability of place we are aware of the openness, freedom, and threat of space, and vice versa. Furthermore, if we think of space as that which allows movement, then place is pause; each pause in movement makes it possible for location to be transformed into place.10 26 Further, places act to invoke an external identification, either object or symbol, to help constitute those who inhabit this place as an “imagined community.”11 This external identification helps form a constitutive outside, or an “Other than” group that does not exist within a given community. In this way, the cultural discourse of place often works as a “container”12 of sorts that assumes the character of the community that claims it.

#### The homeless are seen as nonparticipants in capitalism, therefore making them objects that are always threatening the safe environment of consumption, stripping them of identity.

Sloss 14 Eric J. Sloss . (“HOMELESS ABJECTION AND THE UNCANNY “PLACE” OF THE NATIONAL IMAGINATION”, http://digital.library.unt.edu/ark:/67531/metadc500028/m2/1/high\_res\_d/thesis.pdf)

Homeless persons’ visibility in this environment becomes the very motivation that calls for their eradication from the field of public images. In short, homeless persons are not viewed as participants in capitalist exchange, but ejected objects that constantly threaten the pristine environment of consumption. The image of homelessness becomes abject (unnamable excess) in the sense that its nominal value becomes impossible, in excess to a tamed inscription from the signifier. The homeless perso begging on the street corner often creates discomfort for passing persons, many of whom refuse to even acknowledge his or her presence. His or her presence becomes a threat of the Real, in the Lacanian sense, as a nameless return of the excluded bodies of public participation. As this act of exclusion is symbolic effect, homelessness becomes the grotesque excess of capitalist citizenship, presented as those who cannot possess a certifiable location. It is the threat of the homeless that becomes the catalyst for the box city fundraisers, functioning as an attempt to locate a condition that is, by definition, specifically un-locatable in space and time. To locate, in this sense, works to capture homelessness in the symbolic as placed subjectivity through the production of “experience” in a philanthropic key. However, this experience becomes one of taming, making homeless living palatable by attempting to place homelessness through the box cities and the community practice created by the philanthropy event. To get at the production of this experience I turn to both documents from representative events as well as media releases from local organizations hosting the events, highlighting how they stress the importance of local communities as a part of this experience. As box city fundraisers do not have 35 a single unifying national affiliate, existing rather as a form that repeats itself through different local projects, place and community is extremely important in the reading of these events

# Extensions

# Frontlines

## Case turns

#### Lack of housing is not the issue- empty homes outnumber homeless people 6 to 1. MintPress 15.

MintPress News Desk. "Empty Homes Outnumber The Homeless 6 To 1, So Why Not Give Them Homes?" *MintPress News*. N.p., 02 July 2015. Web. 05 July 2016. JZ

[Writing for Amnesty International in 2011](http://blog.amnestyusa.org/us/housing-its-a-wonderful-right/), Tanuka Loha, then-director of Amnesty’s Demand Dignity program, put the numbers into a larger, annual perspective, and compared them to the shocking number of vacant homes left after last decade’s financial crash. “Since 2007, banks have foreclosed around eight million homes. It is estimated that another eight to ten million homes will be foreclosed before the financial crisis is over.  This approach to resolving one part of the financial crisis means many, many families are living without adequate and secure housing. In addition, approximately 3.5 million people in the U.S. are homeless, many of them veterans. It is worth noting that, at the same time, there are 18.5 million vacant homes in the country.”

## NC

### Polls

#### Polls show that US citizens want the right to housing

NCL, 2011, The National Law Center on Homelessness & Poverty is committed to solutions that address the causes of homelessness, not just the symptoms, and works to place and address homelessness in the larger context of poverty, ON HOMELESSNESS & POVERTY, “Simply Unacceptable”: Homelessness and the Human Right to Housing In the United States, www.nlchp.org.

Recent polling indicates that three-quarters of Americans believe that adequate housing is a human right, and two-thirds believe that government programs need to be expanded to ensure this right.28 Indeed, we believe, as President Obama has stated, “It is simply unacceptable for individuals, children, families and our nation’s Veterans to be faced with homelessness in this country.”29 But when we look around, we quickly see that we do accept this. The foreclosure crisis has millions of homes standing empty while millions of people are on the streets.30 Two million children are estimated to have become homeless due to the foreclosure crisis in the past two years, millions more families are arbitrarily evicted with no access to legal counsel, experience poor housing conditions, and live in neighborhoods without adequate schools, transportation, or other services.31 Meanwhile, federal and local budgets to create affordable housing options are being slashed.32 These problems disparately impact poor people of color, women, persons with physical and mental disabilities, indigenous peoples and the lesbian, gay, bisexual, transgender, and queer community.33

### Util

#### Utilitarianism recognizes public housing as an acceptable right.

Fitzpatrick 10, Heriot-Watt University The 'Right to Housing' for Homeless People Fitzpatrick, Suzanne; Watts, Beth Published in: Homelessness Research in Europe Publication date: 2010

However, utilitarianism is also open to some obvious objections, not least its disregard for the distribution of well-being, and for failing to respect people (in Kant’s famous formulation) as ends and not means. These weaknesses go a long way to explaining the continuing appeal of deontological – and specifically human rights-based – philosophical approaches in the modern era. The emergence of human rights Although natural law and natural rights have now largely been discredited as a basis for rights discourses (Turner, 1993), human rights are in many ways their modern successor. Human rights most often find their expression in international instruments, many of which encompass social rights, including rights to housing. For example, Article 25 of the United Nations Universal Declaration of Human Rights (1948) asserts: Everyone has the right to a standard of living adequate for the health and wellbeing of himself and his family, including food, clothing, housing and medical care and necessary social services.

## NC – pos/neg right

#### Rights are fundamental aspects of life that do not require funding, unlike entitlements. Vincenton 12.

Vincenton, Froi. "Rights Versus Entitlements." *THE VINCENTON POST*. N.p., 16 Jan. 2012. Web. 05 July 2016. JZ

Now the fundamental categories of rights are the right to life, liberty, property, and pursuit of happiness. Your right to life includes you right to build your own home, to feed yourself, to get education provided you pay for it, to see a doctor, etc. Your right to property means you’re entitled to the fruits of your labor; that you have a right to keep your savings and/or invest the same. Your right to liberty includes your right to travel, to change residence, to be free from undue government surveillance, to due process, to counsel, etc. Rights are NOT limited by government’s budgetary constraints. They don’t depend on the availability or non-availability of public funds. TO MAKE MY POINTS A LOT CLEARER: Rights do NOT require state’s positive action. Entitlements do. As to rights, the only duty of the government is to BACK OFF. Examples of entitlements: Food stamp that requires government’s action to raise taxes, to regulate, and to give handouts to people. Rights do not require state budget. Entitlements do. I gave examples above. Rights do NOT impose any form of obligation on others. Entitlements do. A good example is socialized health care or the RH bill. Socialized health care imposes obligations on certain sectors (e.g., employers, health care providers, etc.) to serve the welfare of the poor. The state may force doctors and businesses. Rights ought to be protected by the government. Take note the word PROTECT. Your right to life, liberty, property, and pursuit of happiness are being protected by the BILL OF RIGHTS. Entitlements are welfare provisions. How can a government protect a poor man’s right to food if it violates the right of another man? Rights are NOT entitlement[s]. NO one is entitled to the products and wealth of others.

#### The right to housing is a positive right. Fitzpatrick et al. 14

Fitzpatrick, Suzanne, Bo Bengtsson, and Beth Watts. "Rights to Housing: Reviewing the Terrain and Exploring a Way Forward." *Housing, Theory and Society* 31.4 (2014): 448. Web. School of Built Environment, Heriot-Watt University, Edinburgh, UK (Fitzpatrick and Watt); Institute for Housing and Urban Research, Uppsala University, Gävle, Sweden (Bengtsson) JZ

A key controversy, and source of confusion, in the general rights discourse has to do with the origin of rights; whether rights are given by nature, or – somehow – socially constructed. “Natural rights” are seen as inalienable and held by all human beings on the basis of religious or other innate norms or principles. “Socially constructed rights”, in contrast, are contingent upon socially shared norms, customs or beliefs within a community or culture. How the origin of rights is perceived also carries strong implications for their application. If rights are seen as natural, it is nearer at hand to treat them as universal and non-negotiable than if they are seen as constructed in a certain social context. The conception of natural or “doctrinal” rights as a set of universal, inalienable entitlements held by all human beings began to emerge as part of the western “Enlightenment” during the 17th and 18th centuries, building on the ideas of philosophers such as John Locke (Norman 1998). Bills of Rights in England (1689), America (1789) and France (1789) reﬂected for the ﬁrst time an understanding that individuals were the bearers of rights. This liberal tradition conceives of rights as fundamental, bestowed by God, or another divine source, or by some understanding of the nature of humanity. Natural rights have largely been concerned with people’s “negative” (freedom) rights rather than “positive” rights to substantive welfare entitlements such as housing.

## DA

### Gen politics

#### **Both Republicans and Democrats believe in the right to affordable housing, even in Trump’s America.**

Capps 16, Kriston Capps, 7-26-2016, "The Topic Democrats and Republicans Are Both Avoiding," CityLab, http://www.citylab.com/politics/2016/07/why-democrats-and-republicans-need-to-talk-about-affordable-housing/492959/

Housing never surfaced as a major concern at the Republican National Convention. While affordable housing is a plank of the 2016 Republican Party platform—or “responsible homeownership and rental opportunities” is, anyway—the subject didn’t get much lip service in any of the tentpole talks during the Cleveland convention. Affordable housing may not get much more play at the Democratic National Convention, which opened Monday in Philadelphia. No doubt, U.S. Department of Housing and Urban Development Secretary Julián Castro would have made housing a big deal, but the White House [banned members of the cabinet](http://www.nytimes.com/2016/07/04/us/politics/white-house-prohibits-cabinet-from-addressing-democratic-convention.html) from addressing the DNC. So, no dice. Certainly, Senator Tim Kaine, Hillary Clinton’s pick for vice president, could talk about his time as an attorney for [Housing Opportunities Made Equal](http://homeofva.org/), where he [represented African-American renters](http://law.justia.com/cases/federal/district-courts/FSupp/659/1042/1957214/) who were [discriminated against based on their race](http://www.richmond.com/news/virginia/government-politics/article_a122c78b-7d85-512a-a6de-1f9d5fe313a9.html). But Senator Kaine may not speak to those experiences at the DNC. As a vice presidential candidate, he has to address national security, healthcare, jobs, the budget, gridlock, and several other issues. Housing may not pop up at all when he speaks, which is likely to be on [Wednesday](https://www.demconvention.com/event-categories/july-27/). Neither Republicans nor Democrats are all that eager to put affordable housing up front as an issue at their national conventions. This is a surprise in at least two respects: Democrats and Republicans broadly disagree, but have policy solutions in mind that are close to their respective ideological solutions. More importantly, Americans overwhelmingly want to hear about these solutions. According to a [recent national poll](http://www.ipsos-na.com/news-polls/pressrelease.aspx?id=7315), more than half (59 percent) of all Americans list housing affordability as a top-tier issue. It registers as an even higher concern for younger respondents (73 percent of those ages 18-34). The poll, conducted by Ipsos on behalf of [Enterprise Community Partners](http://www.enterprisecommunity.com/), finds that 71 percent of respondents wanted to see housing affordability as a “core component” of the Republican and Democratic platforms. Roughly one in five Americans lists housing as an issue on par with immigration, taxes, and entitlements reform. This issue matters more to the left: 71 percent of Democratic respondents emphasized housing affordability as a priority versus 44 percent of Republicans. Democrats were more likely to know someone struggling to pay their rent or mortgage, as were women (51 percent versus 43 percent men) and respondents without a college degree (44 percent versus 40 percent with a degree). So it makes sense that Democrats would give time to housing. Then again, it makes just as much sense for Republicans to take up this banner. Among issues dividing the left and right, housing affordability is relatively neutral—it’s not a moral third rail, anyway. This could be ground where the GOP could draw in blue-collar voters, the likes of which Donald Trump means to peel away from Bernie Sanders supporters. A positive prescription for affordable housing might help Republicans counter the burn that Democrats turned to more than once last night: that [Donald Trump rooted for the housing-market crash in 2007](http://www.nbcnews.com/politics/2016-election/trump-2007-i-m-excited-housing-market-crash-n578761).

### Spending

Extend IRC – takes out internal link to econ, more people participating stimulates the economy which solves back for the structural problems. The US will continue to spend money either on the aff or on friv Exec orders, the aff just does something to improve the economy – turns DA

#### Public housing can include redeveloping current housing, a much cheaper alternative that takes out the internal link to the disad.

Smith 16, Janet Smith, 10-21-2016, "Putting the “Public” Back into Public Housing: A Justice-oriented Agenda," No Publication, http://www.rooflines.org/4665/putting\_the\_public\_back\_into\_public\_housing\_a\_justice-oriented\_agenda/

One of the most pressing and consistent challenges is that of money to develop new public housing but subsidize more existing housing. Dwindling allocations to HUD’s budget over nearly four decades needs to a strategy to assure we do not “rob Peter to pay Paul” as has happened with the use of LIHTC to subsidized public housing transformation. Ideally, of course, we need more dedicated funding for affordable and public housing. This should include a dedicated tax credit for public housing redevelopment that is separate from LIHTC – a recommendation made by the National Commission on Severely Distressed Public Housing in 1992 and in recent proposed legislation. While tax credits are not as efficient as direct funding, they are also not a budget item so more prone to support by elected officials. And they are a proven development tool, helping to produce nearly 3 million units of affordable housing since 1987. While the above agenda may seem “radical,” what we propose is within the legal frameworks and practices already in place across the county. This includes, for example, community land trusts that keep housing affordable for low-income families in perpetuity through collective ownership and control of land, and tax credits to encourage private sector investment. What is potentially more radical, however, is shifting funding that currently is primarily going to profit driven developers seeking return on their investment toward equity driven development and producing more public housing. Besides being proven and workable, these changes in public housing policy are necessary given the growing inequality, continued economic and racial segregation, and chronic housing affordability problems across the US.

### Environment

#### Affordable housing meets environmental needs by incentivizing developers who use clean air practices.

Reyes 16, Emily Alpert Reyes, 5-16-2016, "Backers say L.A. affordable housing measure is headed for November ballot," latimes, <http://www.latimes.com/local/lanow/la-me-ln-affordable-housing-measure-20160516-snap-story.html>

To make sure that we meet the need for affordable housing and actually see these benefits at scale, we need to ensure everyone, including private developers, does their part. One way to do that is by giving developers incentives, like additional density or parking reductions, for affordable housing. For example, the Build Better LA initiative, which will be [on the City of Los Angeles ballot this November](http://www.latimes.com/local/lanow/la-me-ln-affordable-housing-measure-20160516-snap-story.html), uses this approach. Among other things, [Build Better LA](https://www.nrdc.org/sites/default/files/media-uploads/build_better_la_initiative_full.pdf) would create a transit-oriented communities incentive with additional density and parking reductions for developers who provide at least a certain amount of affordable housing and integrate good jobs standards. Another way could be to speed up the approvals process for infill developments near transit that provide affordable housing, as the [Governor’s by-right proposal](http://www.dof.ca.gov/budget/Trailer_Bill_Language/documents/707StreamliningAffordableHousingApprovals6-10-16.pdf) attempts to do. But we have to ensures that the solutions do enough to address affordable housing needs and actually move us toward our environmental goals, rather than undermine them. Ensuring that low, very-low, and extremely-low income residents have housing options near transit is an absolute necessity to maximize climate benefits, meet our state’s climate goals, reduce local and regional air pollution, and meet our clean air standards.

## CP

### Entitlements

#### Rights precede entitlements to ensure equal housing access to marginalized groups that entitlements cannot grant on their own.

NLCHP 11, Housing Rights for All: Promoting and Defending Housing Rights in the United States Fifth Edition, 2011 A Resource Manual on International Law and the Human Right to Adequate Housing

The right to adequate housing has never been interpreted under international law to mean that nations must provide housing, free of charge, to all who request it. Under Housing Rights for All: Promoting and Defending Housing Rights in the United States 28 international law, once a nation accepts the obligations attached to the right to housing, it agrees to endeavour, by all appropriate means possible, to ensure that everyone has access to housing resources adequate for health, well-being, and security. Upon assuming legal obligations, nations are required to undertake a series of measures that indicate policy and legislative recognition of each of the constituent aspects of the right to housing, thus creating the necessary conditions so that all residents may enjoy the full entitlements of the right to housing within the shortest possible time-frame. This is both reasonable and realistic. Although international law may not require nations to provide housing for everyone who requests it, some countries have voluntarily taken on this responsibility. For example, homeless children in South Africa, homeless families in the United Kingdom, homeless persons in Scotland, victims of natural disasters, or others with acute housing needs in many countries do have rights to immediate housing relief. The CESCR has also provided some insight into whether nations have to construct housing for all upon demand. The Committee has indicated that the ICESCR requires State parties (that is, nations that have ratified the ICESCR) to provide minimum subsistence rights for everyone regardless of the level of economic development of the country. This means that States parties must ensure, at the very least, minimum essential levels of each of the rights in the ICESCR, including the right to housing. As a matter of priority, governments should also provide housing or access to housing resources to those people who are homeless, inadequately housed, or incapable of acquiring the bundle of entitlements that correspond with housing rights.

### 50 states

#### Through judicial review, public housing is a federal question and not subject to state regulation.

Sackett v. Hansen 04, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA CENTRAL DIVISION JEANNE SACKETT, Plaintiff, vs. DIANE HANSEN, in Her Official Capacity as Section 8 Case Manager of the City of Des Moines Municipal Housing Agency, and CITY OF DES MOINES MUNICIPAL HOUSING AGENCY, “Section 8” refers to Chapter 8 - Low Income Housing - of Title 42 U.S.C, 2004

Housing Agency (“DMMHA”). DMMHA is a public housing authority that exercises control over certain federal housing subsidies, vouchers, and rental assistance programs. On July 27, 2004, Sackett received notice from Diane Hansen, the Section 8 Case Manager for DMMHA, that her dwelling unit had been randomly selected for a quality control inspection. DMMHA made three attempts to perform quality control re-inspections. In each attempt, Sackett reportedly failed to cooperate. On August 18, 2004, Sackett was informed that her Section 8 housing assistance program would terminate effective September 30, 2004, for lack of cooperation with the attempted inspections and a lease violation.2 An informal hearing was held pursuant to 24 C.F.R. § 982.555(a)(1)(v). On October 18, 2004, Sackett received notice from DMMHA that the hearing officer upheld DMMHA’s termination of her rental assistance. Sackett filed a Writ of Certiorari in the Iowa District Court for Polk County on November 18, 2004. In response to Sackett’s petition, Defendants filed a Notice of Removal, asserting federal question jurisdiction. Defendants then filed the present motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), asserting Sackett failed to state a claim upon which relief may be granted. 3 In resistance to Defendants’ motion to dismiss, Sackett argues her claim as filed in Polk County District Court was a request for review of the public agency’s decision to terminate her benefits pursuant to Iowa Rule of Civil Procedure 1.1401 and not a claim for relief under the ADA. Sackett points out that Defendants’ position is inconsistent since they asserted in the notice of removal an alleged ADA claim as the basis for removing this case to federal court, but then in moving to dismiss, Defendants argue Plaintiff has not stated a claim under the ADA. Accordingly, in resistance to the motion to dismiss, Sackett argues that if the Complaint fails to state a claim under the ADA, this Court lacks original jurisdiction and should remand the case to the state court. The proper procedural vehicle to challenge removal is by filing a motion to remand pursuant to 28 U.S.C. § 1447(c). Plaintiff has not followed that procedure. However, if at any time following removal the Court finds it lacks subject matter jurisdiction, the Court is required to raise the issue sua sponte and remand the case.

#### In the context of refugee housing, state governments only have jurisdiction over refugees before their placement in housing- meaning the aff is a responsibility of the federal government and not the states.

FAIR 15, Federation for American Immigration Reform, November 15, "The Role of States in the Refugee Resettlement Process," No Publication, http://www.fairus.org/issue/the-role-of-states-in-the-refugee-resettlement-process

While only the federal government may decide who can enter the United States as refugees, generally, federal law requires cooperation between federal, state, and local governments when it comes to the resettlement of refugees admitted to the United States. Federal law states that the Director of the Office of Refugee Resettlement (which falls under the U.S. Department of Health and Human Services), "shall consult" with state and local governments and voluntary non-profit agencies "concerning the sponsorship process and the intended distribution of refugees among the states and localities BEFORE their placement...." (See 8 U.S.C. § 1522(a)(2)(A))(emphasis added). Such consultation is to occur regularly, which is defined as no less than quarterly. (*Id.*) Accordingly, state and local governments *should be* consulted with and provided an opportunity to provide input before refugees ever set foot in a community. Moreover, the Director of the Office of Refugee Resettlement must develop and implement, again, in consultation with state and local governments and voluntary non-profit agencies, "policies and strategies for the placement and resettlement of refugees...." (*Id.* § 1522(a)(2)(B)) Federal law goes on to set forth what these "policies and strategies" must consider. In addition to ensuring that refugees are not placed in an area that is already "highly impacted" by refugees, they must take into account: the preexisting proportion of refugees and comparable entrants in the area; the availability of the area's employment opportunities, affordable housing, and other educational and health care resources; the likelihood that refugees will become self-sufficient and free from dependence on public assistance in an area; and the area's likelihood of secondary refugee migration. (*Id.* § 1522(a)(2)(C)) Consistent with these policies and strategies, the federal government shall take into account **the** recommendations of the state to the maximum extent possible.

### Living Wage

#### Perm do the aff and the neg- raising the minimum wage is not enough on its own to combat the lack of available public housing.

Dwyer 16, Liz Dwyer, 6-2-2016, "Why a $15 Minimum Wage Can’t Fix America’s Affordable Rent Crisis," TakePart, http://www.takepart.com/article/2016/06/02/fight-for-15-cant-solve-americas-rent-crisis/

“Raising the minimum wage is a critical part of addressing the housing affordability,” Dan Emmanuel, a research analyst with the National Low Income Housing Coalition, wrote in an email to TakePart. “However, there is another part to this problem, which is the shortage of affordable housing. Specifically, there is a shortage of 7.2 million rental units affordable and available to the lowest-income households. We need to address both issues in order to tackle the affordable housing crisis.” Twenty-nine states and the District of Columbia have a minimum wage higher than the federal floor. But the coalition’s [report](http://nlihc.org/sites/default/files/oor/OOR_2016.pdf), *Out of Reach 2016: No Refuge for Low Income Renters*, found an unrelenting rise in what’s called the housing wage. That’s simply the amount full-time workers would have to earn per hour to afford HUD’s estimate of a fair market rent apartment in their area without spending more than 30 percent of their household income. You know, so folks can still afford to get to work, [eat something healthier](http://www.takepart.com/article/2016/03/29/can-banning-fast-food-from-neighborhood-curb-obesity) than the dollar menu at their local fast-food joint, buy medication, and save for financial emergencies. Last year workers needed to earn a national average of $15.50 to afford a modest one-bedroom apartment or $19.35 to afford a two-bedroom place. This year, child care workers, home health care aids, and other minimum wage earners need to take home $16.35 per hour for a one-bedroom or $20.30 per hour for a two-bedroom apartment, according to the report. The reality is even more sobering in some of the nation’s biggest metro areas.

### Privatize

### Renovation

#### Complete renovation good- revives the housing market without increasing taxes. Husock 15.

Husock, Howard. "How Public Housing Harms Cities." *City Journal*. N.p., Winter 2003. Web. 05 July 2016. Vice President for research and publications at the Manhattan Institute, director of its Social Entrepreneurship Initiative JZ

To understand more fully how much damage public housing can inflict on neighborhoods like the Near West Side, consider what can happen when it disappears from a troubled area of a city. After northern Philadelphia’s bleak Richard Allen Homes met with the wrecking ball two years ago, developer Lawrence Rust pounced, putting together a detailed development plan for the derelict area near the demolished project. Soon he was gutting and renovating previously vacant buildings, and selling to yuppie gentrifiers. “I took 15 dumpsters filled with trash out of here,” Rust tells some prospective buyers of a three-story loft he is renovating—a 20-something graphic designer and a singer, both from New York. He’s selling the row house he restored next door for $225,000, on a block where a few years ago houses went for $1,500, and property taxes were negligible.

## K

### Gentrification/Race

Extend Aubert in scenario 1 – refugee housing would avoid the creation of ghettos as it would foster desegregation and encourage social, political and economic integration, cultural shift in AC solves DA/K

#### Gentrification is exceedingly rare in urban cities.

Buntin 15, John Buntin, 1-14-2015, "Gentrification Is a Myth," Slate Magazine, http://www.slate.com/articles/news\_and\_politics/politics/2015/01/the\_gentrification\_myth\_it\_s\_rare\_and\_not\_as\_bad\_for\_the\_poor\_as\_people.html

That gentrification displaces poor people of color by well-off white people is a claim so commonplace that most people accept it as a widespread fact of urban life. It’s not. Gentrification of this sort is actually exceedingly rare. The socio-economic status of most neighborhoods is strikingly stable over time. When the ethnic compositions of low-income black neighborhoods do change, it’s typically because Latinos and other immigrants move into a neighborhood—and such in-migration is probably more beneficial than harmful. As for displacement—the most objectionable feature of gentrification—there’s actually very little evidence it happens. In fact, so-called gentrifying neighborhoods appear to experience less displacement than nongentrifying neighborhoods. It’s time to retire the term *gentrification*altogether. Fourteen years ago, Maureen Kennedy and Paul Leonard of the Brookings Institution wrote that gentrification “is a politically loaded concept that generally has not been useful in resolving growth and community change debates because its meaning is unclear.” That’s even truer today. Some U.S. cities do have serious affordability problems, but they’re not the problems critics of gentrification think they are. Worse, the media focus on gentrification has obscured problems that actually are serious: the increasing isolation of poor, minority neighborhoods and the startling spread of extreme poverty.

#### Public housing is needed to maintain diversity and solve back for the gentrification that exists.

Smith 14, Sandy Smith, 12-4-2014, "3 Ways Communities Can Take Control of Gentrification," https://nextcity.org/daily/entry/gentrification-solutions-affordable-housing-ideas

Maintaining a supply of affordable housing is a key to ensuring that neighborhoods experiencing gentrification remain diverse. “The housing should be placed in asset-rich communities,” noted Strong. “It shouldn’t be out of the way.” A community that creates its own plan, Rodriguez said, can bring that plan to the table when large-scale redevelopment is proposed and use it as a tool to get developers to negotiate. Ellen added that public housing could and should still play a role in preserving affordability in gentrifying neighborhoods, and that other federal policies, such as the Low-Income Housing Tax Credit, can also be used to preserve housing diversity. But some of the most important federal policies that needed to be addressed, she said, dealt with income inequality: “This also needs to tie to labor policy, specifically a higher minimum wage, a more generous Earned Income Tax Credit and a more progressive income tax,” she said.

No alt solve – 1) cant implement a mindset shift of ‘recognizing community’ through hypothetical means – CX is binding she couldn’t articulate the method of which the alt solves 2) under trump’s federal government a ‘community’ will still probably exist of mostly white, wealthy people or 3) trump won’t stop discrimination in the first place.

Not competitive – k is a question of the method of which we guarantee being bad not that the aff in theory is bad which means you can affirm with Iglesias 1,

Perm do both –

Perm do aff then neg

#### Refugee housing specifically does not gentrify communities of color.

Olson 06, At Home with Refugee Housing: Resettlement to Integration, Mercy Housing, Leslie Olson, 12-06, https://www.acf.hhs.gov/sites/default/files/orr/at\_home\_with\_refugee\_housing\_resettlement\_to\_integration\_0.pdf

Community integration is the ultimate goal of refugee resettlement. Unfortunately, some of the current features of the housing market and many of the previously mentioned ways households are coping with the lack of affordable housing are barriers to creating healthy communities, exacerbating refugees’ already difficult integration process. One of the most important impacts on lower-income neighborhoods in the U.S. comes from gentrification, the process of higher income households displacing lower income residents of urban areas, often forcing the lower income residents to seek housing in less-expensive outlying areas of a city. Some characteristics of neighborhoods that are ripe for gentrification include a high percentage of renters, increasing levels of metropolitan congestion and comparatively low housing values.16 The effects of unchecked gentrification on the social networks of all economic strata within communities can be potent. According to a researcher for the Urban Institute, regions with large income disparities between city and suburbs grow more slowly than those with lower levels of inequality. Likewise, high levels of racial segregation in metropolitan areas tend to decrease regional economic prosperity.17 The same study showed that isolated, lower-income communities also lose the full potential of their children. Youth in poor neighborhoods have higher rates of teen pregnancy and delinquency and lower rates of school graduation than youth in higher-income communities. These effects can translate into impacts for all, in the form of higher costs for social services, public assistance, and policing. Diversity is more than just a feel-good concept. As higherincome residents move into revitalizing neighborhoods, tax money is added to public services such as trash removal, infrastructure maintenance, and police services often improve. This increase in buying power can lure a broader array of businesses to areas with retail corridors. These types of investments can benefit the community as a whole, whereas displacing lower-income households to other poor areas does not. Additionally, contrary to a popular perception that lower-income residents (particularly renters) contribute to community instability, a recent study by the California Department of Housing and Community Development showed that a family’s time spent in a neighborhood, rather than just the household income, plays a much more significant role in determining levels of community.18 When rents are stable and affordable — causing tenants to move less often — and when they are commuting for a shorter period of time, even the lowestincome residents of a neighborhood are more likely to be active community members. Not all of the housing trends have negatively affected communities, for instance, refugee housing in the United States, and many cities across the country are adopting redevelopment and reinvestment policies that focus on the revival of diverse and healthy communities. Noticing the unwanted impacts and social costs of unaffordable housing, socio-economic isolation, extended commutes and other unsustainable development patterns, more and more cities are integrating a “livable communities” philosophy into their housing and development plans. According to the Center for Livable Section Communities, key considerations in the development of such communities incorporate an inclusive planning process that encourages neighbors to interact, designs that meet the needs of diverse populations, energy efficient plans that reduce both bills and energy consumption and local economic development that provides stable employment and nurtures social equity.19

### Biopower

Extend zanotti

#### There is no alternative to the law/legal system---neg alternative brings more inequality and abuse

Auerbach 83 [Jerold S., Professor of History at Wellesley, “Justice Without Law?”, 1983, p. 144-146]

As cynicism about the legal system increases, so does enthusiasm for alternative dispute-settlement institutions. The search for alternatives accelerates, as Richard Abel has suggested, "when some fairly powerful interest is threatened by an increase in the number or magnitude of legal rights.\*'6 Alternatives are designed to provide a safety valve, to siphon discontent from courts. With the danger of political confrontation reduced, the ruling power of legal institutions is preserved, and the stability of the social system reinforced. Not incidentally, alternatives prevent the use of courts for redistributive purposes in the interest of equality, by consigning the rights of disadvantaged citizens to institutions with minimal power to enforce or protect them. It is, therefore, necessary to beware of the seductive appeal of alternative institutions. They may deflect energy from political organization by groups of people with common grievances; or discourage effective litigation strategies that could provide substantial benefits. They may, in the end, create a two-track justice system that dispenses informal "justice" to poor people with "small" claims and "minor" disputes, who cannot afford legal services, and who are denied access to courts. (Bar associations do not recommend that corporate law firms divert their clients to mediation, or that business deductions for legal expenses—a gigantic government subsidy for litigation—be eliminated.) Justice according to law will be reserved for the affluent, hardly a novel development in American history but one that needs little encouragement from the spread of alternative dispute-settlement institutions. It is social context and political choice that determine whether courts, or alternative institutions, can render justice more or less accessible—and to whom. Both can be discretionary, arbitrary, domineering—and unjust. Law can symbolize justice, or conceal repression. It can reduce exploitation, or facilitate it. It can prohibit the abuse of power, or disguise abuse in procedural forms. It can promote equality, or sustain inequality. Despite the resiliency and power of law, it seems unable to eradicate the tension between legality and justice: even in a society of (legal) equals, some still remain more equal than others. But diversion from the legal system is likely to accentuate that inequality. Without legal power the imbalance between aggrieved individuals and corporations, or government agencies, cannot be redressed. In American society, as Laura Nader has observed, "disputing without the force of law ... [is| doomed to fail."7 Instructive examples document the deleterious effect of coerced informality (even if others demonstrate the creative possibilities of indigenous experimentation). Freed slaves after the Civil War and factory workers at the turn of the century, like inner-city poor people now, have all been assigned places in informal proceedings that offer substantially weaker safeguards than law can provide. Legal institutions may not provide equal justice under law, but in a society ruled by law it is their responsibility. It is chimerical to believe that mediation or arbitration can now accomplish what law seems powerless to achieve. The American deification of individual rights requires an accessible legal system for their protection. Understandably, diminished faith in its capacities will encourage the yearning for alternatives. But the rhetoric of "community" and "justice" should not be permitted to conceal the deterioration of community life and the unraveling of substantive notions of justice that has accompanied its demise. There is every reason why the values that historically are associated with informal justice should remain compelling: especially the preference for trust, harmony, and reciprocity within a communal setting. These are not, however, the values that American society encourages or sustains; in their absence there is no effective alternative to legal institutions. The quest for community may indeed be "timeless and universal."8 In this century, however, the communitarian search for justice without law has deteriorated beyond recognition into a stunted off-shoot of the legal system. The historical progression is clear: from community justice without formal legal institutions to the rule of law, all too often without justice. But injustice without law is an even worse possibility, which misguided enthusiasm for alternative dispute settlement now seems likely to encourage. Our legal culture too accurately expresses the individualistic and materialistic values that most Americans deeply cherish to inspire optimism about the imminent restoration of communitarian purpose. For law to be less conspicuous Americans would have to moderate their expansive freedom to compete, to acquire, and to possess, while simultaneously elevating shared responsibilities above individual rights. That is an unlikely prospect unless Americans become, in effect, un-American. Until then, the pursuit of justice without law does incalculable harm to the prospect of equal justice.

#### Permutation do both—we can work within a dominant system and still resist

Michel Foucault, biopower dude, 1980, Philosophy, Politics, and Culture, pg. 154

FOUCAULT We must escape from the dilemma of being either for or against. After all, it is possible to face up to a government and remain standing. To work with a government implies neither subjection nor total acceptance. One may work with it and yet be restive. I even believe that the two things go together.

#### Permutation – do the plan and interrogate the 1ac’s epistemological failures – those failures are inevitable and can be interrogated endlessly – but if implementing the aff can still be a good idea some failures, voting for the perm enables transformative potential

Nunes 12 [Reclaiming the political: Emancipation and critique in security studies, João Nunes, Security Dialogue 2012 43: 345, Politics and International Studies, University of Warwick, UK, p. sage publications]

In the works of these authors, one can identify a tendency to see security as inherently connected to exclusion, totalization and even violence. The idea of a ‘logic’ of security is now widely present in the critical security studies literature. Claudia Aradau (2008: 72), for example, writes of an ‘exclusionary logic of security’ underpinning and legitimizing ‘forms of domination’. Rens van Munster (2007: 239) assumes a ‘logic of security’, predicated upon a ‘political organization on the exclusionary basis of fear’. Laura Shepherd (2008: 70) also identifies a liberal and highly problematic ‘organizational logic’ in security. Although there would probably be disagreement over the degree to which this logic is inescapable, it is symptomatic of an overwhelmingly pessimistic outlook that a great number of critical scholars are now making the case for moving away from security. The normative preference for desecuritization has been picked up in attempts to contest, resist and ‘unmake’ security (Aradau, 2004; Huysmans, 2006; Bigo, 2007). For these contributions, security cannot be reconstructed and political transformation can only be brought about when security and its logic are removed from the equation (Aradau, 2008; Van Munster, 2009; Peoples, 2011). This tendency in the literature is problematic for the critique of security in at least three ways. First, it constitutes a blind spot in the effort of politicization. The assumption of an exclusionary, totalizing or violent logic of security can be seen as an essentialization and a moment of closure. To be faithful to itself, the politicization of security would need to recognize that there is nothing natural or necessary about security – and that security as a paradigm of thought or a register of meaning is also a construction that depends upon its reproduction and performance through practice. The exclusionary and violent meanings that have been attached to security are themselves the result of social and historical processes, and can thus be changed. Second, the institution of this apolitical realm runs counter to the purposes of critique by foreclosing an engagement with the different ways in which security may be constructed. As Matt McDonald (2012) has argued, because security means different things for different people, one must always understand it in context. Assuming from the start that security implies the narrowing of choice and the empowerment of an elite forecloses the acknowledgment of security claims that may seek to achieve exactly the opposite: alternative possibilities in an already narrow debate and the contestation of elite power.5 In connection to this, the claims to insecurity put forward by individuals and groups run the risk of being neglected if the desire to be more secure is identified with a compulsion towards totalization, and if aspirations to a life with a degree of predictability are identified with violence. Finally, this tendency blunts critical security studies as a resource for practical politics. By overlooking the possibility of reconsidering security from within – opting instead for its replacement with other ideals – the critical field weakens its capacity to confront head-on the exceptionalist connotations that security has acquired in policymaking circles. Critical scholars run the risk of playing into this agenda when they tie security to exclusionary and violent practices, thereby failing to question security actors as they take those views for granted and act as if they were inevitable. Overall, security is just too important – both as a concept and as a political instrument – to be simply abandoned by critical scholars. As McDonald (2012: 163) has put it, If security is politically powerful, is the foundation of political legitimacy for a range of actors, and involves the articulation of our core values and the means of their protection, we cannot afford to allow dominant discourses of security to be confused with the essence of security itself. In sum, the trajectory that critical security studies has taken in recent years has significant limitations. The politicization of security has made extraordinary progress in problematizing predominant security ideas and practices; however, it has paradoxically resulted in a depoliticization of the meaning of security itself. By foreclosing the possibility of alternative notions of security, this imbalanced politicization weakens the analytical capacity of critical security studies, undermines its ability to function as a political resource and runs the risk of being politically counterproductive. Seeking to address these limitations, the next section revisits emancipatory understandings of security.

#### Democracy checks biopower impact

Edward Ross Dickinson 4, Associate Professor, History Ph.D., U.C. Berkeley, Central European History, Vol. 37 No. 1, p. 34-36

And it is, of course, embedded in a broader discursive complex (institutions, professions, fields of social, medical, and psychological expertise) that pursues these same aims in often even more effective and inescapable ways.89 In short, the continuities between early twentieth-century biopolitical discourse and the practices of the welfare state in our own time are unmistakable.¶ Both are instances of the “disciplinary society” and of biopolitical, regulatory, social-engineering modernity, and they share that genealogy with more authoritarian states, including the National Socialist state, but also fascist Italy, for example. And it is certainly fruitful to view them from this very broad perspective. But that analysis can easily become superficial and misleading, because it obfuscates the profoundly different strategic and local dynamics of power in the two kinds of regimes. Clearly the democratic welfare state is not only formally but also substantively quite different from totalitarianism. Above all, again, it has nowhere developed the fateful, radicalizing dynamic that characterized National Socialism (or for that matter Stalinism), the psychotic logic that leads from economistic population management to mass murder. Again, there is always the potential for such a discursive regime to generate coercive policies.¶ In those cases in which the regime of rights does not successfully produce “health,” such a system can —and historically does— create compulsory programs to enforce it. But again, there are political and policy potentials and constraints in such a structuring of biopolitics that are very different from those of National Socialist Germany. Democratic biopolitical regimes require, enable, and incite a degree of self-direction and participation that is functionally incompatible with authoritarian or totalitarian structures. And this pursuit of biopolitical ends through a regime of democratic citizenship does appear, historically, to have imposed increasingly narrow limits on coercive policies, and to have generated a “logic” or imperative of increasing liberalization. Despite limitations imposed by political context and the slow pace of discursive change, I think this is the unmistakable message of the really very impressive waves of legislative and welfare reforms in the 1920s or the 1970s in Germany.90¶ Of course it is not yet clear whether this is an irreversible dynamic of such systems. Nevertheless, such regimes are characterized by sufficient degrees of autonomy (and of the potential for its expansion) for sufficient numbers of people that I think it becomes useful to conceive of them as productive of a strategic configuration of power relations that might fruitfully be analyzed as a condition of “liberty,” just as much as they are productive of constraint, oppression, or manipulation. At the very least, totalitarianism cannot be the sole orientation point for our understanding of biopolitics, the only end point of the logic of social engineering. ¶ This notion is not at all at odds with the core of Foucauldian (and Peukertian) theory. Democratic welfare states are regimes of power/knowledge no less than early twentieth-century totalitarian states; these systems are not “opposites,” in the sense that they are two alternative ways of organizing the same thing. But they are two very different ways of organizing it. The concept “power” should not be read as a universal stifling night of oppression, manipulation, and entrapment, in which all political and social orders are grey, are essentially or effectively “the same.” Power is a set of social relations, in which individuals and groups have varying degrees of autonomy and effective subjectivity. And discourse is, as Foucault argued, “tactically polyvalent.” Discursive elements (like the various elements of biopolitics) can be combined in different ways to form parts of quite different strategies (like totalitarianism or the democratic welfare state); they cannot be assigned to one place in a structure, but rather circulate. The varying possible constellations of power in modern societies create “multiple modernities,” modern societies with quite radically differing potentials.91

### Deleuze

### US Exceptionalism

#### The right to housing extends to include previously marginalized groups who didn’t conform to US exceptionalism.

Buruma 16, Ian Buruma, 11-29-2016, "The End of the Anglo-American Order," New York Times, https://www.nytimes.com/2016/11/29/magazine/the-end-of-the-anglo-american-order.html?\_r=0

Yet even those who don’t go along with the kaiser’s loathsome words recognize that liberal economics, as practiced since the middle of the 19th century in Britain and the United States, has a darker side. It does not allow for much redistribution of wealth or protection of the most vulnerable citizens. There have been exceptions: Roosevelt’s New Deal, for instance, or Britain’s postwar Labor government under Clement Attlee, which created free national health care, built better public housing, improved education and guaranteed other blessings of the welfare state. British working-class men who risked their lives for their country during the war expected no less. On the whole, however, Britain and the United States have, compared with many Western countries, generally set greater store on individual economic freedom than on the ideal of egalitarianism. And nothing creates such swift and radical social change as unfettered free enterprise. The Reagan-Thatcher revolution in the 1980s — deregulating financial services, closing down coal mines and manufacturing plants and hacking away at the benefits of the New Deal and the British welfare state — was regarded by many conservatives, on both sides of the Atlantic, as a triumph for Anglo-American exceptionalism, a great coup for freedom. Europeans outside Britain were more skeptical. They tended to see Thatcherism and Reaganomics as ruthless forms of economic liberalism, making some people vastly richer but leaving many more out in the cold. Nonetheless, in order to compete, many governments began to emulate the same economic system.

### CAP

Cross apply Underview of aff – you solve internal link to being able to resist material conditions of capitalist oppression which is more solvency than a mindset shift alt. You coopt impacts of K.

Perm do the aff and all non-competitive parts of the alt. K is Non unique; alt creates ruse of solvency and error replication which turns case, aff isn’t the only pronunciation of capitalism means that either their alt doesn’t solve all the impacts or perm solves.

#### I just picked out some things I like, should be aff specific with quick analytics

#### -- Perm – Do the plan and the part of the alt that doesn’t reject the Aff.

#### Combining methodologies like the 1CA and the K is key.

Hardt and Negri 11(Michael Hardt, Ph.D Professor of Literature @ Duke University, and Antonio Negri, Ph.D independent researcher and writer, *Commonwealth,* Belknap Press May 15, 2011)

This passage from and- to altermodernity illuminates some aspects of the contemporary role of the intellectual. First, although critique—of normative structures, social hierarchies, exploitation, and so forth—remains necessary, it is not a sufficient basis for intellectual activity. T he intellectual must be able also to create new theoretical and social arrangements, translating the practices and desires of the struggles into norms and institutions, proposing new modes of social organization.The critical vocation, in other words, must be pushed forward to move continually from rupture with the past to- ward charting a new future. Second, there is no place for vanguards here or even intellectuals organic to the forces of progress in the Gramscian sense. The intellectual is and can only be a militant, engaged as a singularity among others, embarked on the project of co- esearch aimed at making the multitude. The intellectual is thus not "out in front" to determine the movements of history or "on the sidelines" to critique them but rather completely "inside. "The function of the intellectual today, though in many ways radically different, shares some aspects with the one developed in the context of the patristics in the first centuries of Christianity. That was in many respects a revolutionary movement within an Empire that organized the poor against power and required not only a radical break with traditional knowledge and customs but also an invention of new systems of thought and practice just as today we must find a way out of capitalist modernity to invent a new culture and new modes of life. Let's call this, then, only half facetiously, a new patristic, in which the intellectual is charged with the task not only to denounce error and unmask illusions, and not only to incarnate the mechanisms o f new practices of knowledge, but also, together with others in a process of co-research, to produce a new truth.

#### This solves: Incremental changes are crucial for coalitions against capitalism – The alt isn’t viable and won’t change mindsets.

#### Grossberg, '92

(Speech Prof -- Illinois, We gotta get out of this place, p. 389)

If it is capitalism that is at stake, our moral opposition to it has to be tempered by the realities of the world and possibilities of political change. Taking a simple negative relation to it, as if the moral condemnation of the evil of capitalism **were ever sufficient** (granting that it does establish grotesque systems of inequality and oppression, **is not** likely to establish a viable political agenda. First, it is not at all clear what it would mean to overthrow capitalism in the current situation. Unfortunately, despite our desires, "the masses" are **not waiting** for the revolution, and it is not simply a case of **their failure to recognize their own best interests**, as if we did. Are we to decide--rather undemocratically, I might add--to overthrow capitalism in spite of their legitimate desires? Second, as much as capitalism is the cause of many of the major threats facing the world, at the moment it may also be one of the few forces of stability, unity and even, within limits, a certain civility in the world. The world system is, unfortunately, **simply too precarious** and the alternative options not all that promising. Finally, the appeal of an as yet unarticulated and even unimagined future, while perhaps powerful as a moral imperative, is simply too weak in the current context to effectively organize people, and too vague to provide any direction. Instead, the left must think of ways to **rearticulate capitalism** without either giving up the critique or naively assuming that it can create a capitalism "with a human heart." Leaving such images to Hollywood, the Left can organize to change specific axiomatics of capitalism in particular local, regional, national and global contexts.

#### Perm do the aff then the k

#### Aff is a prereq- absent an openness to discourse you’re criticism gets silenced

#### K presents capitalism as monolith – makes alt solvency impossible.

#### Gibson-Graham, ‘6

Professor of Geosciences at University of Massachusetts, PhD; Feminist Economic Geographer and Professor at the Australian National University, PhD (J.K. Gibson-Graham, “The End of Capitalism as We Knew It,” pg. 255-257)

Through its architectural or organismic depiction as an edifice or body, Capitalism becomes not an uncentered aggregate of practices but a structural and systemic unity, potentially co-extensive with the national or global economy as a whole. 11 As a large, durable, and self-sustaining formation, it is relatively impervious to ordinary political and cultural u, except through some herculean and coordinated struggle. Understood as a unified system or structure, Capitalism is not ultimately vulnerable to local and partial efforts at transformation. Any such efforts **can always be subverted** by Capitalism at another scale or in another dimension. Attempts to transform production may be seen as hopeless without control of the financial system. Socialisms in one city or in one country may be seen as undermined by Capitalism at the international scale. Capitalism cannot be chipped away at, gradually replaced or removed piecemeal. It must be transformed in its entirety or not at all. Thus one of the effects of the unity of Capitalism is to present the left with the task of systemic transformation. Singularity If the unity of Capitalism confronts us with the mammoth task of systemic transformation, it is the singularity and totality of Capitalism that **make the task so hopeless**. Capitalism presents itself as a singularity in the sense of having no peer or equivalent, of existing in a category by itself; and also in the sense that when it appears fully realized within a particular social formation, it tends to be dominant or alone. As a sui generis economic form, Capitalism has no true analogues. Slavery, independent commodity production, feudalism, socialism, primitive communism and other forms of economy all lack the systemic properties of Capitalism and the ability to reproduce and expand themselves according to internal laws. 12 Unlike socialism, for example, which is always struggling to be born, which needs the protection and fostering of the state, which is fragile and easily deformed, Capitalism takes **on its full form** as a natural outcome of an internally driven growth process. Its organic unity gives capitalism the peculiar power to regenerate itself, and even to subsume its moments of crisis as requirements of its continued growth and development. Socialism has never been endowed with that mythic capability of feeding on its own crises; its reproduction was never driven from within by a life force but always from without; it could never reproduce itself but always had to be reproduced, often an arduous if not impossible process. 13

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#### The right to housing is a moral right, the aff must defend the right to housing as a normative concept absent policy-making concerns

King 03 , Peter. “Housing as a freedom right.” Housing Studies, Vol. 18, No. 5, 661–672, September 2003

Before proceeding any further there is a need to make a terminological distinction, and in so doing, separate out statutory and philosophical notions of rights. This paper is more properly discussing the ‘right to housing’. This is a moral right that may or may not exist. It is a normative condition that relates to the legitimate interests that individuals have. This is to be distinguished from ‘housing rights’, which relate to conditions granted by statute. The notion of housing rights is, of course, quite commonly referred to. Indeed, there are many texts that aim to explain what rights individuals have to housing and associated benefits, usually produced by professional and lobbying bodies such as the Chartered Institute of Housing and Shelter. Whilst these are obviously useful, [but] they are concerned with what could be called ‘statutory rights’. They seek to elucidate what an individual might be entitled to in law, with the specific aim of acting as guides for practitioners. However, what this practice-based literature does not do is discuss how rights to housing are grounded. These texts cannot tell us why rights themselves are important. This work has already been assumed to have been done, in the sense that it was deemed necessary to enact statutes. Nor can this statutory notion tell us whether rights are, of themselves, a sufficient condition. More practically, they are also unable to inform us of what grounds there might be to extend or to reduce statutory rights, except in the narrow sense of whether particular statutes are effective. Discussions on statutory rights tend to be question-begging, in that they take for granted that rights exist, and that therefore action is necessary by the state to institutionalise them and then to act upon them. But what we need to know is why rights exist and thus why it is that governments have felt the need to legislate for them. This initially necessitates an abstract discussion, which defines rights and how they might be categorised. We might then be able to attach the notion of rights to housing in a more fundamental way. What this means, in effect, is that statutory housing rights rest on an understanding of a need for a right to housing. This is not merely a semantic argument. The terminological distinction here is important. The concept of housing rights tells us what we have (or in some cases, ought to have), whilst the right to housing is a justificatory argument which addresses why we should have certain forms of provision in the first place. Housing rights tell us what this provision might be, but not why it ought to be there. The right to housing is therefore serving a deeper but more abstract purpose. There is a further important distinction here. Whilst housing rights might be ubiquitous, in the sense that all citizens have them, in practice statutory provision differs from state to state, as well as over time. This, of course, is entirely to be expected and relates to particular political priorities, power relations and available resources. Thus the statutory rights of a citizen in the UK tell us little about those in Ethiopia (except, of course, in the comparative sense that things would be better in Ethiopia if it experienced provision to the same level as the UK). However, the right to housing is a natural right and is thus attached to all persons. It is not a relative condition, depending on circumstances and resources, but a universal condition. The idea of natural rights is, of course, a contested one. Bengtsson (2001), for instance, argues for housing as a social right, instituted as a market corrective. He suggests that the right to housing is best considered as a political marker of concern that points housing out as an area of relevance for welfare state policy. It is therefore a socially constructed concept and thus it differs according to national policy and particular patterns of provision. In this sense, the right to housing is socially defined and not natural. However, this argument reduces the right to housing to little more than a part of the policy process. It places policy priorities, even though they may be based on housing market conditions, ahead of any sense of the interests of citizens. Thus it is really a utilitarian position that states that individuals need a certain level of housing because of currently existing gaps in market provision that have been empirically measured. This level of provision may be expressed as a social right, and it may very well serve to underpin statutory provision. But it does not register the interests of each citizen as resting equally as a maximal condition. His position is tantamount to stating that we have rights because of the policy. The position advocated here states that policy derives from the existence of rights.

#### Meaning we just have to prove that guaranteeing the right to housing is normatively true/good to meet the interp

#### Standards:

#### Debatability – i/l clash and ground

#### Framers intent – didn’t ask for a policy action, topic wording committee could’ve asked if Housing First would be the proper solution, there aren’t many housing policies

#### Limits – forcing to debate a cncern of policy means that the aff can pick any obscure federal/state based polcy and the neg has to answer it – their interp overlimits the debate